

# City of Waltham

*Jeannette A. McCarthy*  
*Mayor*

CITY OF WALTHAM  
CITY CLERK'S OFFICE  
2023 FEB -8 AM 10:54

February 8, 2023

RECEIVED

TO: The City Council  
RE: 92 Felton Street Request for Proposals

Dear Councillors:

Enclosed please find the Request for Proposals for 92 Felton Street.

I am available to answer any questions you may have regarding this request.

Sincerely,

Jeannette A. McCarthy

JAM/sm

enclosure

cc: John B. Cervone, Esq.  
Katie Laughman, Esq.

**CITY OF WALTHAM**

**Request for Proposals**

**Lease of First Floor and a Portion of Land Located at 92 Felton Street**

**Waltham, Massachusetts**

**I Introduction**

The City of Waltham (Lessor) is currently offering for lease, "AS IS," the first floor of the property (2,800 sq. ft.) and a portion of land, approximately 11,000 sq. ft., known as 92 Felton Street, Waltham, Massachusetts, as generally identified on the site plan attached hereto as Appendix A. (Leased Premises). The building is vacant.

The building at 92 Felton Street is a brick structure. The property was built in 1900.

The basement cellar and the attic/second floor are not part of the Leased Premises and are not a subject of this Request for Proposals (RFP). The garages are utilized by the City of Waltham and are not part of the Leased Premises. There is space available on the property to provide approximately 34 parking spaces. However, 10 of these parking spaces will be retained by the City of Waltham for shared use. The City will work with the Lessee to assure that sufficient parking spaces are left for the Lessee's use. Lessee will have exclusive use of the first floor of the property.

**II Site Information**

Located in the heart of Waltham's business and civic district, 92 Felton Street is in proximity to the intersection of Moody and Felton Streets. Moody Street is a short distance from Main Street (Route 20). Main Street is a short distance from major roadways providing access to Boston (approximately nine miles east of the site) and Route 128 (approximately two miles west of the site). The property is easily accessible by foot, bus and train.

The building and land are being leased "AS IS" and the Lessor makes no representations, nor warranties as to the condition of the Leased Premises, nor the fitness for its intended use or purposes. Other than what is stated herein, Lessor is under no obligation to make any repair, renovations, alterations to the Leased Premises.

The building is located in a Commercial Zoning District. The surrounding neighborhood includes downtown Moody Street, as well as commercial, retail and residential uses.

**III Use**

- A. Lease or disposition of the property is subject to the approval of both the Mayor and City Council (2/3 vote).
- B. 92 Felton Street is a unique historical building and is within proximity to the City's center of government. Accordingly, this property and building needs to be preserved. Retail stores are allowed in a Commercial Zone per the attached Tables of Uses. Residential use is prohibited. The lease of this property is for a use that does not derogate or harm the surrounding neighborhood.

- C. The City intends to lease this building and land as a retail market and the building will be identified as, **"92 FELTON MARKETPLACE."** Café and fast-food uses are prohibited. Retail food cannot be consumed on site. The Lessee shall have exclusive use of the first floor and shared use of the exterior lot. Subject to the approval of the Building Inspector, three vehicles may be allowed to be parked overnight in the exterior lot. Charging stations for any vehicles requiring electricity must be appropriately wired by Lessee, if required, and vehicles cannot be parked on untreated earth. The vehicles, owned and operated by the Lessee or the Lessee's agents, employees, or representatives must be properly insured and secured at all times, and all at Lessee's own risk. The rear of the building has a ramp and overhead door. No cars or trucks will be allowed to park or go inside the building for delivery or otherwise.
- D. The first-floor interior consists of a main room to the right of the entrance, an office to the left of the entrance with two bathrooms (one handicapped), a side room, a handicapped ramp entrance and two storage rooms to the rear, one open and one partially enclosed, and overhead garage door and ramp.

The City will renovate the main market room and the office area. In addition to the five plastic round tables and chairs located on the property, the City will provide some plastic rectangular tables and metal shelving for the main market room. Lessee is responsible for all subsequent repair or replacement of the tables, chairs, and shelving.

**Deliveries will only be allowed through the rear overhead door or handicapped ramp entrance. Deliveries will not be allowed through the wooden front doors. No cars or trucks will be allowed to park or go inside the building for delivery or otherwise.**

**No pallets will be allowed in the main market room. If pallets or mechanical delivery equipment are to be used in the two rear storage areas and side room, Lessee must have a structural analysis for weight performed prior to using any pallets or mechanical equipment. One wooden front door will remain closed at all times. The wooden front door will be for emergency entrance and exit only.**

Only dry or refrigerated storage will be allowed in the two rear storage areas and side room. Bulk storage must be appropriately organized and stocked. All food storage must be off the floor and not on pallets. Lessee will be responsible to keep the premises clean and free of food, rubbish or debris to prevent vermin. Lessee will be responsible to treat the interior and exterior of the premises for any vermin prior to opening and during the Lease Term, at Lessee's sole cost and expense.

There will be no access by Lessee or its agents, servants, employees, volunteers, visitors to the basement cellar and second floor/attic.

The City has Community Preservation funds in the amount of \$400,000.00 for the rehabilitation and improvements of the Leased Premises, a portion of which the City intends to use to replace windows at the Leased Premises. The City will be responsible for funding and overseeing the replacement windows.

Prior to commencement of operations, Lessee will contact City Building, Fire, Health and Wires Departments to inspect for occupancy and use of the premises. Lessee will be required to comply with occupancy and storage limits at all times. Lessee agrees to a minimum of quarterly inspections of the Leased Premises by City Departments listed above.

#### **IV Required Terms and Conditions**

In addition to Articles I, II, and III above, incorporated herein by reference, use of the premises is subject to the following terms and conditions:

- A. The term of the Lease shall be for a period of up to five (5) years.

- B. As stated above, the City intends to retain ten (10) of the public parking spaces. However, the City will work with the Lessee to make sure sufficient parking is available through periodic shared use of the ten (10) reserved public parking spaces.
- C. The Lessee shall be responsible for rent payments due and payable before the first of each month in monthly installments to be made payable to the City of Waltham and submitted to the Maintenance Director, 25 Lexington Street, Waltham, MA 02452.
- D. Lessee shall be responsible for payment of all utilities and services including, but not limited to, heat, electricity, water and sewer charges, cable/internet and rubbish disposal.
- E. The Lessor, in addition to other rights and remedies, shall have the right to declare the term of the Lease ended if the Lessee:
  - 1. defaults in the payment of a rent installment or water and sewer payment and such default continues for ten (10) days after written notice thereof; or
  - 2. defaults in the performance or observance of any other of the Lessee's covenants, agreements or obligations under the Lease and fails to correct such default within thirty (30) days after written notice thereof; or
  - 3. shall be declared bankrupt or insolvent according to law, or if any assignment shall be made of Lessee's property for the benefit of creditors; or
  - 4. fails to secure an occupancy permit within six months from the date the Lease is executed.
- F. The Lessee shall not assign its proposal, the Lease Agreement, nor its rights, nor shall the Lessee sublet any or all of the Leased Premises without the prior written consent of the City Council (2/3 vote) and Mayor. Such subletting may only be authorized, in the sole discretion of the City Council and Mayor, for a use that is compatible with the public purpose and identified allowed uses of this Request for Proposal.
- G. The Lessee shall be required to purchase and maintain fire insurance in the amount of One million dollars (\$1,000,000) and comprehensive public liability insurance in the amount of One million dollars (\$1,000,000) per person/one million dollars (\$1,000,000) per occurrence, with excess liability/umbrella coverage in the amount of three million dollars (\$3,000,000); and with property damage insurance in limits of one million dollars (\$1,000,000) with responsible companies qualified to do business in Massachusetts and in good standing therein insuring the Lessor as well as the Lessee against injury to persons or damage to property as provided and to be in effect during the entire Lease term. Lessee will also be required to purchase and maintain Vehicle Liability insurance and Worker's Compensation insurance for any vehicles or employees as required by Massachusetts law.
- H. The Lessee shall be required to present a Certificate of Insurance, identifying **the City as an additional named insured** and requiring 30 days advance notice of any cancellation, to the Lessor at the time of the signing of the Lease and at such other times as the Lessor shall request. The Lessee shall be responsible for the payment of all required premiums to maintain said insurance during the entire Lease term.
- I. The Lessee shall indemnify, defend, and hold the City harmless from and against any and all claims, demands, liabilities, actions, causes of actions, defenses, proceedings, subpoenas, document requests and/or costs and expenses, including attorney's fees (collectively, the "Claims"), brought against or initiated as to the City, its agents, departments, officials, employees, insurers and/or successors, by any third party, including any private or public entity, arising from or relating to the Lessee's use of the Leased Premises. Such indemnification shall include, but shall not be limited to, all reasonable fees and reasonable costs of attorneys and consultants, of the City's choosing incurred in defending or responding to such Claims, except such Claims as are the result of the City's gross negligence or

intentional malfeasance.

- J. The Lessee shall purchase and maintain tenant's insurance in an amount sufficient to replace Lessee's personal belongings contained in the Leased Premises during the Lease term and shall be required to present a Certificate of Insurance identifying the City as a co-insured and requiring thirty (30) days advance notice of any cancellation to the Lessor at the time of the signing of the Lease and at such other times as the Lessor shall request. The Lessee shall be required to keep the list updated for insurance purposes as items come in and out of the Leased Premises.
- K. The Lessee shall be responsible for meeting the Building Code in order to secure an Occupancy Permit.
- L. The Lessee shall perform all improvements regarding tenant fit up at its sole cost and expense.
- M. The use of the subject property is subject to the Zoning Ordinances of the City of Waltham and subject to Section III above. See the attached Tables of Uses for uses that are allowed as-of-right in the Commercial Zone in which the property is located. Residential uses of the Leased Premises are prohibited by the terms of this RFP and will be prohibited under the terms of any Lease executed pursuant hereto.
- N. Lessee's plans must be submitted to and approved by the Waltham Historical Commission for any items within its jurisdiction, prior to submission to the Building Department for a building permit(s).
- O. All plans and specifications for improvements to the property must be approved by the Building Inspector of the City of Waltham prior to the commencement of any work.
- P. All improvements shall be performed by the Lessee in accordance with the City-approved plans and specifications.
- Q. No additions or alterations may be made to the exterior or interior of the building and/or lot without the prior written approval of the City Council (2/3 vote) and Mayor. Lessee will be allowed two exterior signs subject to the approval of the City Council (2/3 vote) and Mayor.
- R. Over the term of the Lease, the Lessee will be required to maintain the interior of the building and parking area and make any necessary repairs thereto and keep the Leased Premises safe for public admittance. Lessor will put the parking area on a future City paving list for resurfacing.
- S. The Lessee shall be responsible for the cost of installing and using all utilities to the property. Lessee is responsible for its own air conditioning needs subject to the approval of the City's Maintenance Department.
- T. The Lessee shall be responsible for all custodial/janitorial services for the Leased Premises during the Lease term.
- U. The Lessee shall be responsible for shoveling all walkways into the Leased Premises and ensuring that all the exits and entrances are not obstructed.
- V. The Lessee shall be responsible for maintaining the Leased Premises in good condition, reasonable wear and tear excluded.
- W. The Lessee shall be responsible for the cost of all repairs occasioned by or due to the fault or neglect of the Lessee, its agents, servants or independent contractors hired by it, visitors, guests, invitees, or any other source.

- X. The Lessee is prohibited from any activity that would constitute a violation of the conflict-of-interest law (M.G.L. c. 268A).
- Y. Lessee will be required to execute a Lease with the City of Waltham. The City's Lease, along with this RFP and the Lessee's response thereto, if accepted by the City, shall constitute the entire agreement for the Lease of the property. Any amendment to the Lease must be in writing and must be approved in the same manner as the original Lease, by both the City Council (2/3 vote) and Mayor.
- Z. The Lessee shall be responsible for securing all municipal, state and federal permits, including but not necessarily limited to, building and occupancy permits and health permits.
- AA. The Lessee is obligated to secure an occupancy permit for, at minimum, the first floor of the Leased Premises within six months of the date on which the Lease is executed. As noted above, the Lessee will be taking the building "AS IS" and the Lessee will be responsible for taking all actions necessary to secure an occupancy permit.
- BB. The Lessor shall be responsible for delineating the parking spaces on the ground, including handicapped, which parking spaces shall be sized and located in accordance with the requirements of the Zoning Ordinance.
- CC. The Lessee shall use the property in such manner as is compatible with the neighborhood and/or the current use(s) of the building as determined in the sole discretion of the City. No residential use of the Leased Premises shall be permitted. Lessee shall cooperate and not interfere with any work by City Departments and/or City contract vendors.
- DD. Lessee agrees to execute any documents necessary to effectuate the Lease of the property.
- EE. Lessee will be required to provide CORI checks where required by Massachusetts Law where children and/or senior citizens are involved. Lessee will have the responsibility of supervising or ensuring that activities are supervised during the Lease term.
- FF. Lessee will be responsible for implementing its own COVID-19 safety plan for the Leased Premises, if required.
- GG. All obligations of the Lessee shall be performed at its sole cost and expense.

## **V Submission Requirements**

In addition to Articles, I, II, III and IV, incorporated herein by reference, Submission Requirements are:

- A. All proposals must be delivered to the office of the City Purchasing Agent Crystal Philpott, City Hall, 610 Main Street, Waltham, MA no later than \_\_\_\_\_, **2023 at 1:00 p.m.**
- B. All proposals (four copies) shall be in sealed envelopes marked, "Proposal for Lease of First Floor and a Portion of Land at 92 Felton Street, Waltham."
- C. All proposals not received at the Purchasing Agent's office by the date and time specified shall be rejected.
- D. Each proposal must include the following:



1. A completed Disclosure of Beneficial Interests form, which complies with the requirements of M.G.L. Chapter 7C, Section 38. During the Lease term a new disclosure must be filed within thirty (30) days of any change in beneficial interests.
2. A signed affidavit of non-collusion in the form provided by the Purchasing Agent.
3. A certification of tax compliance (M.G.L. Chapter 62C, Section 49A).
4. If the Lessee is other than a natural person, evidence of its legal existence and status, including any recent amendments thereto. Such evidence may include the following:
  - a. Articles of Incorporation
  - b. Trust Agreements
  - c. Partnership Agreements
5. If the proposer is a corporation, a Certificate of Authority conveying a certified vote of the Board of Directors authorizing a designated individual to submit the proposal.
6. A statement of the intended use of the Leased Premises and how it preserves the historic nature of the building, increases the economic development of the downtown/Felton Street area, such as an indoor/outdoor retail market and does not harm or derogate the surrounding neighborhoods.
7. Resumes and position descriptions of all personnel of Lessee who will be responsible for supervising construction work or work to be performed under the Lease and/or operation of a retail store.
8. A statement of the amount of rent the Lessee proposes to pay over the course of the Lease term and the specific Lease term requested.
9. Evidence of the proposer's ability to cover the costs of all rent to be paid, utilities to be paid including water and sewer charges, all capital improvements to be made, and all other financial obligations relating to the rental of the property during the entire rental period. Evidence of Lessee's ability to enter into a Lease and to pay the rental price, including support letter(s) from a financial institution licensed to do business within the Commonwealth of Massachusetts and copies of the Proposer's 990-PFs for the last two years or Proposer's corporate income tax returns for the last two years.
10. A proposed, detailed program of capital repairs and replacements, any other improvements/repairs proposed. Said program shall be attached to and become a part of the Lease.
11. A list of past projects in which the proposer has been involved.
12. A written inventory of any and all personal property that will be stored or maintained in or on the Leased Premises. Such list shall be updated by the Lessee as such personal property is added or removed.
13. For a corporation, a certified copy of the most recent Annual Report and any Amendments subsequent to the most recent filing as recorded with the Secretary of State.
14. The Lessee shall be responsible for maintaining its own insurance covering any personal property located on or in the rental property during the Lease term and the Lessee shall indemnify and hold the City harmless from any claims for damages or loss relating to any such personal property.
15. Insurance Certificate showing the requested limits and with the following text in the Description of Service Box: "The City of Waltham is a Named Additional Insured for General Liability, Fire, Property Damage"
16. The City reserves the right to request additional documentation and may independently verify information provided.
17. A COVID-19 safety plan that meets state and local regulations and ordinances as determined by the Director of the Waltham Health Department, if required.

## **VI Evaluation Criteria**

All proposals shall be evaluated based on the following criteria:

A. Submission Requirements: All proposals must be properly submitted and contain all of the completed documents and forms as set forth above in V—Submission Requirements. The Purchasing Agent shall determine if the Submission Requirements have been satisfied. The Purchasing Agent shall refer all proposals that meet the Submission Requirements to the Evaluation Committee, as expanded upon below in VI B. Any proposal, which does not contain all the completed documents and forms set forth in Section V- Submission Requirements, shall be rejected.

B. Comparative Evaluation Criteria: An Evaluation Committee, consisting of one representative from each the Building Department, Planning Department and Maintenance Department will evaluate all proposals referred to it by the Purchasing Agent. The Evaluation Committee's review will be based on the relative merits of the proposals in terms of the proposed use and improvements and the amount of rent to be paid. The Evaluation Committee's review will be based on the relative merits of the proposals in terms of:

- 1 Proposed Use (33 1/3% of total points) Each proposal shall be given a score of 1 to 5 (with 5 being the highest score) based upon the extent and how the proposal preserves the historic nature of the building, increases economic development in the downtown/Felton Street area, such as an indoor/outdoor retail market, and does not harm or derogate the surrounding neighborhoods.
- 2 Proposed Improvements (33 1/3 % of total points) Each proposal shall be given a score of 1 to 5 (with 5 being the highest score) for the physical improvements made to the interior and exterior of the building and grounds. Responses to the RFP should delineate exactly what improvements will be done and when.
- 3 Rental stream (33 1/3 % of total points) The Evaluation Committee will determine the present value of the rental stream to be generated by each proposal. Each proposal will be given a score of 1 to 5 (with 5 being the highest score) based on the present value of rental payments and the financial strength of the proposer. **Responses to the RFP should delineate the rent to be paid for each year of the Lease.**

C. Evaluation. Once points are established for the proposed improvements, use, and the rental stream of each proposal, the Evaluation Committee will weigh these criteria as listed above. Based on the final scores assigned to each proposal, the Evaluation Committee shall make its recommendation to the Mayor and City Council of the City of Waltham who shall identify the most advantageous proposal.

## **VII Award**

Lease between the City and the successful respondent is subject to the approval of both the Mayor and the City Council (2/3 vote).

## **VIII Miscellaneous**

- A. The City reserves the right to reject any and all proposals at any time prior to the execution of the Lease.
- B. All renovations shall become fixtures and the property of the City of Waltham.
- C. The City of Waltham will conduct **one PRE-PROPOSAL site visit of the property on \_\_\_\_\_, 2023 at 1:00 PM.** Interested parties should meet in front of 92 Felton Street at said date and time. This will be the only opportunity to conduct a detailed inspection of the property before the RFP due date.



- D. All questions regarding the RFP should be submitted in writing to the Purchasing Agent who will respond via addenda to all interested parties. Addenda will also be posted on the City's website.

Last Day for written questions:

2023 at 12:00 p.m. to [cphilpott@city.waltham.ma.us](mailto:cphilpott@city.waltham.ma.us)

**QUESTIONS SHOULD NOT BE SUBMITTED TO CITY COUNCILLORS, NOR THE MAYOR, AS THE RFP PROCESS REQUIRES A SEALED BID PROPOSAL FROM ALL BIDDERS. THE MAYOR AND COUNCILLORS ARE SUBJECT TO MASSACHUSETTS CONFLICT OF INTEREST LAW.**

Central Register – Acquisition or Disposition of Real Property

**Authority:**

Purchasing Agent  
City of Waltham  
610 Main Street  
Waltham, MA  
(781) 314-3242

**Description of Property:**

92 Felton Street  
Waltham, MA  
12,000 gross sq. ft. of land, (11,000 sq. ft. leased)  
First-floor- 2,800 sq. ft. of interior space

**Proposal Deadline:**  
**, 2023 at :00 p.m.**

**Estimated Value, Source of Valuation**

Assessed Value: \$14 square foot for actual indoor retail space in the area

Appraised Value – January, 2023

\$12.00 per square foot for retail and \$8 per square for (warehouse value) based on appraisal by Waltham Board of Assessors, first floor and land. Adjustments are made to account for better/lesser conditions, to a minimum price of \$5.00 per square foot for the land and first floor space combined.

**Additional Information:**

See attached Assessor's Card

The City plans to lease the first floor only and a portion of the lot on which it is located. The garage building on the lot is not included in the leased premises. The building and lot are leased "AS IS". The City intends to lease this property for an indoor/outdoor retail market and for a use that preserves the historic nature of the building and for a use that does not derogate or harm the surrounding neighborhood. Open air parking is available.

Copies of the Request for Proposals are available at [www.city.waltham.ma.us/open-bids](http://www.city.waltham.ma.us/open-bids)

**The City reserves the right to reject any and all proposals.**

CITY OF WALTHAM, MASSACHUSETTS  
REQUEST FOR PROPOSALS  
PROPERTY FOR LEASE

SEALED PROPOSALS for leasing the first floor (2,800 sq. ft.) of the building and a portion of the land (approx. 11,000 sq. ft.) located at 92 FELTON STREET, WALTHAM, MA, will be received at the Office of the Purchasing Agent, City Hall, 610 Main Street, Waltham, MA 02452, until p.m. on, 2023 at which time they will be publicly opened and read.

A property inspection date is set for , 2023 at p.m.

Copies of the Request for Proposals are available at [www.city.waltham.ma.us/open-bids](http://www.city.waltham.ma.us/open-bids)

The City reserves the right to reject any and all proposals.

Crystal Philpott, MCPPO  
Purchasing Agent  
781-314-3244  
[cphilpott@city.waltham.ma](mailto:cphilpott@city.waltham.ma).

Advertisement

### Disclosure of Beneficial interests in Real Property Transaction

This form contains a disclosure of the names and addresses of all persons with a direct or indirect beneficial interest in the real estate transaction described below. This form must be filed with the Massachusetts Division of Capital Planning and Operations, as required by M.G.L. c.7C §38 prior to the conveyance of or execution of a lease for the real property described below. Attach additional sheets if necessary.

1. Public agency involved in this transaction: \_\_\_\_\_  
(Name of Jurisdiction)
2. Complete legal description of the property:

3. Type of transaction:    \_\_\_ Sale    \_\_\_\_\_ Lease or Rental for \_\_\_\_\_ (term):

4. Seller(s) or Lessor(s): \_\_\_\_\_

Purchaser(s) or Lessee(s): \_\_\_\_\_

5. Names and addresses of all persons who have or will have a direct or indirect beneficial interest in the real property described above. *Note: If a corporation has, or will have a direct or indirect beneficial interest in the real property, the names of all stockholders must also be listed except that, if the stock of the corporation is listed for sale to the general public, the name of any person holding less than ten percent of the outstanding voting shares need not be disclosed.*

Name:

Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

None of the persons listed in this section is an official elected to public office in the Commonwealth of Massachusetts except as noted below:

Name:

Title or Position:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Continued on next page)

6. This section must be signed by the individual(s) or organization(s) entering into this real property transaction with the public agency named in item 1. If this form is signed on behalf of a corporation, it must be signed by a duly authorized officer of that corporation.

The undersigned acknowledges that any changes or additions to item 4 of this form during the term of any lease or rental will require filling a new disclosure with the Division of Capital Planning and Operations within 30 days following the change or addition.

The undersigned swears under the pains and penalties of perjury that this form is complete and accurate in all respects.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity or group of individuals. The undersigned certifies that no representations made by any City officials, employees, entity, or group of individuals other than the Purchasing Agent of the City of Waltham was relied upon in the making of this bid

\_\_\_\_\_  
(Signature of person signing bid or proposal)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Name of business)

### I. TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. c. 62C, & 49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

\_\_\_\_\_  
Signature of person submitting bid or proposal

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of business

#### **NOTE**

**Failure to submit any of the required documents, in this or in other sections, with your bid response package will be cause for the disqualification of your company.**

## CERTIFICATE OF VOTE OF AUTHORIZATION

Date:

I \_\_\_\_\_, Clerk of \_\_\_\_\_ (corporation) hereby certify that at a meeting of the Board of Directors of said Corporation duly held on the \_\_\_\_\_ day of \_\_\_\_\_ at which time a quorum was present and voting throughout, the following vote was duly passed and is now in full force and effect:

VOTED: That \_\_\_\_\_ (name) is hereby authorized, directed and empowered for the name and on behalf of this Corporation to sign, seal with the corporate seal, execute, acknowledge and deliver all contracts and other obligations of this Corporation; the execution of any such contract or obligation to be valid and binding upon this Corporation for all purposes, and that this vote shall remain in full force and effect unless and until the same has been altered, amended or revoked by a subsequent vote of such directors and a certificate of such later vote attested by the Clerk of this Corporation.

I further certify that \_\_\_\_\_ is duly elected/appointed \_\_\_\_\_ of said corporation.

SIGNED:

(Corporate Seal)

\_\_\_\_\_  
Clerk of the Corporation:

Print Name: \_\_\_\_\_

### COMMONWEALTH OF MASSACHUSETTS

County of \_\_\_\_\_

Date:

Then personally appeared the above named and acknowledged the foregoing instrument to be their free act and deed before me, \_\_\_\_\_

Notary Public;

My Commission expires:



## CORPORATION IDENTIFICATION

The bidder for the information of the Awarding Authority furnishes the following information.

If a Corporation:

Incorporated in what state \_\_\_\_\_

President \_\_\_\_\_

Treasurer \_\_\_\_\_

Secretary \_\_\_\_\_

Federal ID Number \_\_\_\_\_ (Required)

If a foreign (out of State) Corporation – Are you registered to do business in Massachusetts? Yes

\_\_\_\_\_, No \_\_\_\_\_

If you are selected for this work you are required under M.G.L.ch. 30S, 39L to obtain from the Secretary of State, Foreign Corp. Section, State House, Boston, a certificate stating that you Corporation is registered, and furnish said certificate to the Awarding Authority prior to the award.

If a Partnership: (Name all partners)

Name of partner \_\_\_\_\_

Residence \_\_\_\_\_

Name of partner \_\_\_\_\_

Residence \_\_\_\_\_

If an Individual:

Name \_\_\_\_\_

Residence \_\_\_\_\_

If an Individual doing business under a firm name:

Name of Firm \_\_\_\_\_

Name of Individual \_\_\_\_\_

Business Address \_\_\_\_\_

Residence \_\_\_\_\_

Date \_\_\_\_\_

Name of Bidder \_\_\_\_\_

By \_\_\_\_\_

Signature

Title

Business Address \_\_\_\_\_ (POST OFFICE BOX NUMBER NOT ACCEPTABLE)

City State

Telephone Number,

Date

**NOTE (1):** This proposal must bear the written signature of the bidder. If the bidder is a partnership, a partner must sign the proposal. If the bidder is a corporation, a duly authorized officer or agent of such corporation must sign the proposal.  
**NOTE (2):** Failure to submit any of the required documents, in this or in other sections, with your bid response package will be cause for the disqualification of your company.

## **DEBARMENT CERTIFICATION**

In connection with this bid and all procurement transactions, by signature thereon, the respondent certifies that neither the company nor its principals are suspended, debarred, proposed for debarment, declared ineligible, or voluntarily excluded from the award of contracts, procurement or non procurement programs from the Commonwealth of Massachusetts, the US Federal Government and/or the City of Waltham. "Principals" means officers, directors, owners, partners and persons having primary interest, management or supervisory responsibilities with the business entity. Vendors shall provide immediate written notification to the Purchasing Agent of the City of Waltham at any time during the period of the contract of prior to the contract award if the vendor learns of any changed condition with regards to the debarment of the company or its officers. This certification is a material representation of fact upon which reliance will be placed when making the business award. If at any time it is determined that the vendor knowingly misrepresented this certification, in addition to other legal remedies available to the City of Waltham, the contract will be cancelled and the award revoked.

---

Company Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_, State \_\_\_\_\_, Zip Code \_\_\_\_\_

Phone Number (\_\_\_\_) \_\_\_\_\_

E-Mail Address \_\_\_\_\_

Signed by Authorized Company Representative:

\_\_\_\_\_

Print name \_\_\_\_\_

Date \_\_\_\_\_

**PROVIDE THREE (3) SERVICE APPROPRIATE REFERENCES**

1. Company Name:

Address:

Contact Name:

Phone #

Type of service/product provided to this Company:

Dollar value of service provided to this Company:

2. Company Name:

Address:

Contact Name:

Phone #

Type of service/product provided to this Company:

Dollar value of service provided to this Company:

3. Company Name:

Address:

Contact Name:

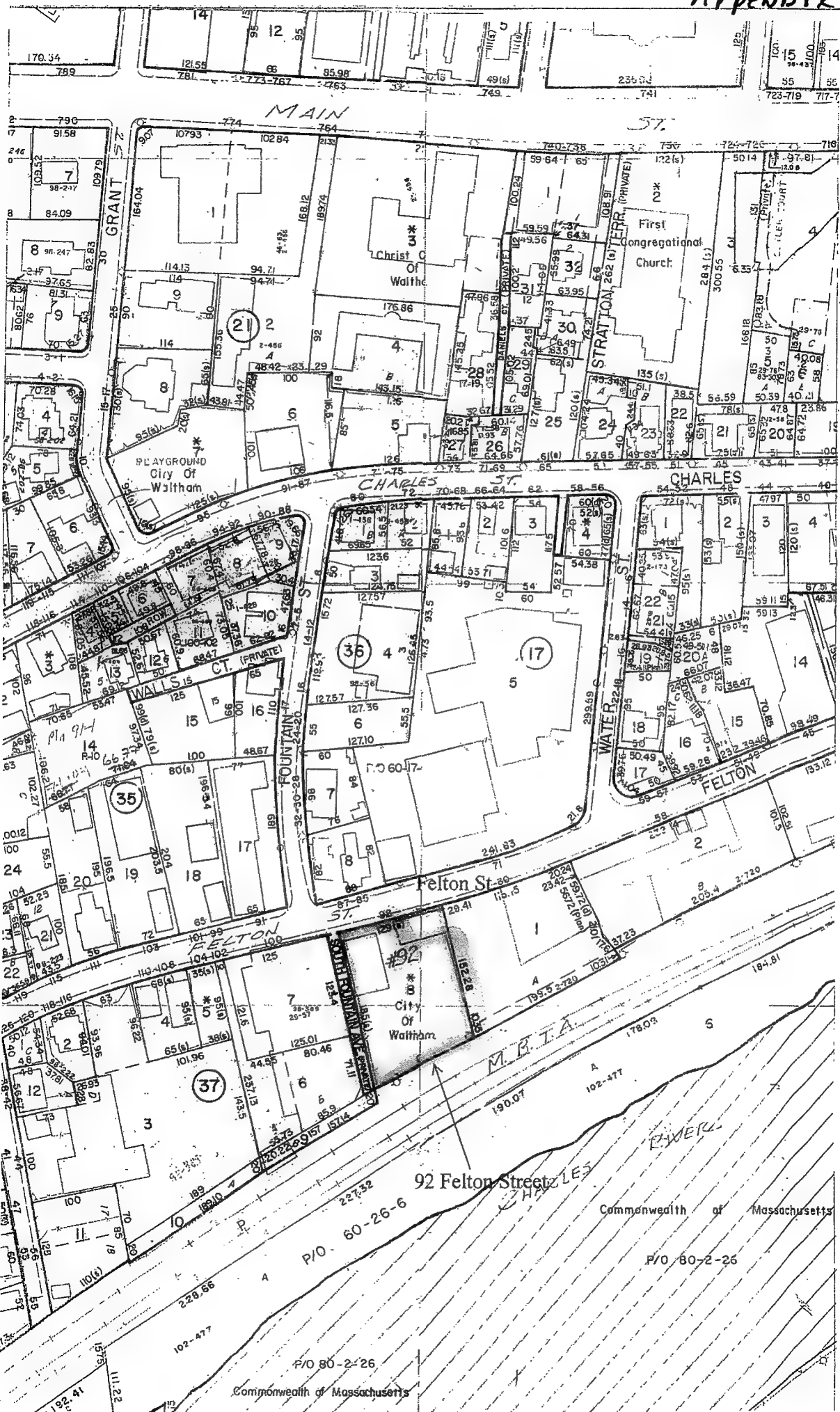
Phone #

Type of service/product provided to this Company:

Dollar value of service provided to this Company:

**NOTE**

**Failure to submit any of the required documents, in this or in other sections, with your bid response package will be cause for the disqualification of your company.**



59.12  
56.72(Plan)

20.24

23.42

116.15

A

5.661

R060 025 0001  
72

10.35

152.28

150(S)

29.41

129(S)

135(S)

190.07

Charles River Reservation

R060 017 0005  
71

R059 036 0008  
85-87

88

185(S)

R059 037 0008  
92

20

71.11

123.4

80.46

B

R059 037 0007  
100

125.01

44.55

R059 037 0006  
102

237.13  
143.5

121.6

125

65

R059 035 0017  
91

FOUNTAIN STREET

FELTON STREET

R059 037 0008  
Map Block Lot

Unit 2 of 2  
CARD City of Waltham

APPAISED: 21,200  
USE VALUE: 21,200  
ASSESSED: 744,500

PROPERTY LOCATION

No	Alt No	Direction/Street/City
92		FELTON ST, WALTHAM

OWNERSHIP

Owner 1:	CITY OF WALTHAM
Owner 2:	
Owner 3:	
Street 1:	610 MAIN ST.
Street 2:	
Twp/City:	WALTHAM
S/P/Prov:	MA
Postal:	02452-5552

PREVIOUS OWNER

Owner 1:	
Owner 2:	
Street 1:	
Twp/City:	
S/P/Prov:	
Postal:	

NARRATIVE DESCRIPTION

This parcel contains 22,400 SQ. FT. of land mainly classified as MUNICIPAL with a GARAGE Building built about 1922, having primarily BRICK Exterior and Square Feet, with 6 Units, 0 Bath, 0 3/4 Bath, 0 Half Bath, 0 Rooms, and 0 Bdrm.

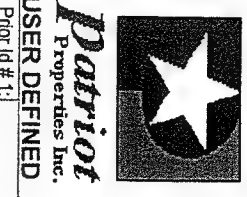
OTHER ASSESSMENTS

Code	Description	Amount	Com. Int.

IN PROCESS APPRAISAL SUMMARY

Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value
903	0.000	21,200			21,200
Total Card	0.000	21,200			21,200
Total Parcel	0.514	291,500		453,000	744,500
Source:	Market Adj Cost	Total Value per SQ unit	/Card:	N/A	/Parcel: 101.29

Legal Description	User Acct
	38827
Lot Size	GIS Ref
Total Land:	Insp Date
Land Unit Type:	01/28/14



BUILDING PERMITS

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Leased Area	Ten	Rent \$	Ovr Rent	Econ Inc

INCOME INFORMATION

Type	Description	Fir	Clwy	Leased Area	Ten	Rent \$	Ovr Rent	Econ Inc

ACTIVITY INFORMATION

Date	Result	By	Name
1/28/2014	MEASURED	406	ROBBIE MCILAU

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z				water		
0				Sewer		
n				Electr		
				Exmpt		
Census:						
Flood Haz:						
D	0	last		Topo		
s				Streel	41	41
t				Gas:		

Gross Income	X	Totals:	
Vacancy/DL:	X	Net Income:	
Other Income:		Rate Adj:	
Expenses:	X	Vac Adj:	
Reserves:	X	Exp Adj:	
Lease Type:	0	Indicated Value:	
Overall Rate:		Surplus:	

Sign: \_\_\_\_\_

Use	Description	LUC	No of Units	Depth /	Unit Type	Land Type	LT	Factor	Base	Unit	Adj	Neigh	Neigh	Mod	Int 1	%	Int 2	%	Int 3	%	Appraised	All	Spec	J	Fact	Use Value	Notes
903	MUNICIP		0						0	0.	.000	CF															



# EXTERIOR INFORMATION

Type: 43 - WAREHOUSE  
 Sty Ht: 12 - 2  
 (Lvl) Units: 1 Total: 7  
 Foundation: 03 - BRK/STN  
 Frame: 01 - WOOD  
 Prime Wall: 07 - BRICK  
 Sec Wall: %  
 Rod Struct: 04 - FLAT  
 Rod Cover: 04 - TAR + GRAVEL  
 Color: BRICK  
 View / Desir: %  
 GENERAL INFORMATION  
 Grade: C - AVERAGE  
 Year Bld: 1900 Est Yr Bld: %  
 Alt LUC: %  
 Jurisdct: %  
 Const Mod: %  
 Lump Sum Adj: %

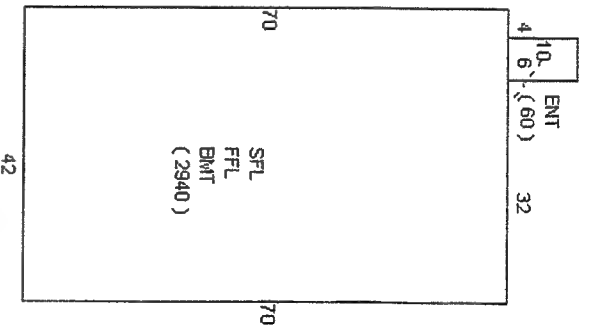
# BATH FEATURES

Full Bath: Rating: %  
 A Bath: Rating: %  
 3/4 Bath: Rating: %  
 A 3QBth: Rating: %  
 1/2 Bath: 2 Rating: Average  
 A HBth: Rating: %  
 OhlFlx: Rating: %  
 OTHER FEATURES  
 Kils: Rating: %  
 A Kils: Rating: %  
 Frl: Rating: %  
 WSFue: Rating: %  
 CONDO INFORMATION  
 Location: %  
 Total Units: %  
 Floor: %  
 % Own: %  
 Name: %

# COMMENTS

LOT # 92 FELTON STREET : 92 FELTON STREET. BUILDING APPEARS TP BE VACCANT.

# SKETCH



# RESIDENTIAL GRID

1st Res Grid Desc: # Units  
 Level: FY LR DR D K FR RR BR FB HB L O  
 Other: %  
 Upper: %  
 Lvl 2: %  
 Lvl 1: %  
 Lower: %  
 Totals: RMS: BRS: Baths: HB2

# REMODELING

Exterior: %  
 Interior: %  
 Additions: %  
 Kitchen: %  
 Baths: %  
 Plumbing: %  
 Electric: %  
 Heating: %  
 General: %

# RES BREAKDOWN

No Unit RMS BRS FL

# DEPRECIATION

Phys Cond: AG - Avg-Good 31%  
 Functional: %  
 Economic: %  
 Special: %  
 Overide: %  
 Total: 31.5%

# CALC SUMMARY

Basic \$ / SQ: 50.00  
 Site Adj: 1,105,102.06  
 Const Adj: 1,029,999.97  
 Adj \$ / SQ: 56,913  
 Other Features: 5000  
 Grade Factor: 1.00  
 NBHD Int: 1,000,000.00  
 NBHD Mod: %  
 LUC Factor: 1.00  
 Adj Total: 394,636  
 Depreciation: 124,310  
 Depreciated Total: 270,325

# COMPARABLE SALES

Rate	Parcel ID	Typ	Date	Sale Price
Rate	Parcel ID	Typ	Date	Sale Price

# SUB AREA

Code	Description	Area - SQ	Rate - AV	Underpr Value	Sub %	Descr	%	Cu #	Tem
BMT	BASMENT	2,940	17,790	52,289	100	BMT	50 A		
FFL	FIRST FLOOR	2,940	56,910	167,324	100	FFL	50 A		
SFL	SECOND FLOOR	2,940	56,910	167,324	100	SFL	50 A		
ENT	ENTRY	60	45,000	2,700	100	ENT	50 A		

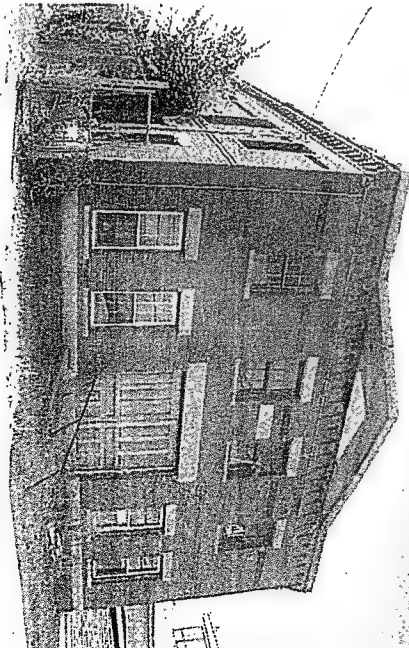
# SUB AREA DETAIL

Code	Description	Area - SQ	Rate - AV	Underpr Value	Sub %	Descr	%	Cu #	Tem
BMT	BASMENT	2,940	17,790	52,289	100	BMT	50 A		
FFL	FIRST FLOOR	2,940	56,910	167,324	100	FFL	50 A		
SFL	SECOND FLOOR	2,940	56,910	167,324	100	SFL	50 A		
ENT	ENTRY	60	45,000	2,700	100	ENT	50 A		

# IMAGE

AssessPro Patriot Properties, Inc

MOBILE HOME Make: Model: Year: Color: Parcel ID: R059 037 0008  
 SPEC FEATURES/YARD ITEMS  
 Code Description A Y/S Qty Size/Dim Qual Con Year Unit Price D/S Dep LUC Faci NB Fa Appr Value Jcod/Jfact Juns Value  
 More: N Total Yard Items: Total Special Features: Total:



# Unofficial Property Record Card - Waltham, MA

## General Property Data

Parcel ID	R059 037 0008	Account Number	38827
Prior Parcel ID	--	Property Location	92 FELTON ST
Property Owner	CITY OF WALTHAM	Property Use	MUNICPL
Mailing Address	610 MAIN ST.	Most Recent Sale Date	
City	WALTHAM	Legal Reference	
Mailing State	MA	Grantor	
Zip	02452-5552	Sale Price	0
ParcelZoning		Land Area	0.514 acres

## Current Property Assessment

Card 1 Value	Building Value	270,300	Xtra Features Value	0	Land Value	453,000	Total Value	723,300
Total Parcel Value	Building Value	291,500	Xtra Features Value	0	Land Value	453,000	Total Value	744,500

## Building Description

Building Style	WAREHOUSE	Foundation Type	BRK/STN	Flooring Type	HARDWOOD
# of Living Units	1	Frame Type	WOOD	Basement Floor	CONCRETE
Year Built	1900	Roof Structure	FLAT	Heating Type	STEAM
Building Grade	AVERAGE	Roof Cover	TAR + GRAVEL	Heating Fuel	OIL
Building Condition	Avg-Good	Siding	BRICK	Air Conditioning	0%
Finished Area (SF)	7350	Interior Walls	PLASTER	# of Bsmt Garages	0
Number Rooms	0	# of Bedrooms	0	# of Full Baths	0
# of 3/4 Baths	0	# of 1/2 Baths	2	# of Other Fixtures	0

## Legal Description

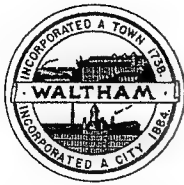
## Narrative Description of Property

This property contains 0.514 acres of land mainly classified as MUNICPL with a(n) WAREHOUSE style building, built about 1900 , having BRICK exterior and TAR + GRAVEL roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 2 half bath(s).

## Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



# City of Waltham

MASSACHUSETTS

## BOARD OF ASSESSORS

**Assessors**  
FRANCIS P. CRAIG, CHAIR  
AMY CAISSIE  
BERNADETTE VAZQUEZ

**RECEIVED**

**JAN 23 2023**

**Mayor's Office**

## MEMORANDUM

TO: Jeannette McCarthy, Mayor  
FROM: Francis P. Craig  
DATE: January 23, 2023  
RE: Rental rate for 92 Felton

Mayor

Regarding the rental rate for 92 Felton Street:

Assessor's records reflect that this building is a two story, brick building, constructed in 1894 as the City's water department. It measures 40' wide by 70' feet long, or 2,800 sf per floor. Also located on the parcel is a garage (28' x 64') with six bays, which is not included in the contemplated lease. Further, only the first floor will be included in the leased premises. While there is a basement, that is also not included in the rental area. The first-floor space has ceiling heights of approximately 15', and is improved by two bathrooms and an office. The space is heated by steam radiators and an oil burner.

The first floor is divided at approximately 40' from the street by a wooden wall that is built from floor to ceiling. The front section will be used as retail while the rear 30' area will be used as storage. The rear area is served by a delivery door and the front entry is served by a ramp.

The building is located in a commercial zone and therefore permits use for retail and storage as contemplated. The yard of the parcel is approximately 12,000 sf, asphalt surface, which accommodates approximately 34 parking spaces. There will be some shared use of these spaces with the City.

In fiscal year 2023 the average rental rate for retail (store front) space, of approximately 3,000 s.f., is \$14/sf. The building is to be rented to a single tenant, who will pay for all utilities, including water and will be required to maintain insurance coverage for its intended use, listing the City as an insured party. Due to condition and location of the building, as well as tenants expected utilities cost, the anticipated rent would be \$12.00/sf. Warehouse space in this area is \$8.00/sf. The estimated rent for this space is  $1,600 \times \$12 = \$19,200$  and  $1,200 \times \$8.00 = \$9,600.00$  for a total of \$28,800.00 annually.

  
Frank Craig

# ZONING CODE

## Z Attachment 4

### City of Walcham

#### Sec. 3.4. Table of Uses.

[Amended 6-10-1991 by Ord. No. 27154; 6-10-1991 by Ord. No. 27156; 12-12-1991 by Ord. No. 27265; 12-23-1991 by Ord. No. 27265; 3-8-1993 by Ord. No. 27503; 5-9-1994 by Ord. No. 27715; 5-23-1994 by Ord. No. 27733; 1-11-1995 by Ord. No. 27853-A; 3-28-1995 by Ord. No. 27884; 5-22-1995 by Ord. No. 27909; 5-13-1996 by Ord. No. 28125; 5-28-1996 by Ord. No. 28135; 8-4-1997 by Ord. No. 28403; 2-26-2001 by Ord. No. 29197; 5-28-2002 by Ord. No. 29513; 12-23-2002 by Ord. No. 29628; 3-1-2005 by Ord. No. 30012; 4-28-2008 by Ord. No. 30876; 12-22-2008 by Ord. No. 31011; 6-23-2009 by Ord. No. 31147; 6-27-2011 by Ord. No. 31583; 10-16-2013 by Ord. No. 32037; 12-9-2013 by Ord. No. 32080; 1-13-2014 by Ord. No. 32097; 6-23-2014 by Ord. No. 33106; 3-14-2016 by Ord. No. 33408; 3-27-2017 by Ord. No. 33702; 8-1-2017 by Ord. No. 33817; 9-10-2018 by Ord. No. 34192; 12-10-2018 by Ord. No. 34282; 4-22-2019 by Ord. No. 34437; 5-28-2019 by Ord. No. 34472]

Use With Special Permit Reference	RA-1	RA-2	RA-3	RA-4	RB	RC	RD	HRI	HR2	BA	BB	BC(U)	LC	C	I	C/R	Use Reference
Residential																	
Single-family detached (Sec. 3.606)	Y	Y	Y	Y	Y	Y	Y	Y	N	SI	SI	N	N	N	N	N	3.21
Two-family detached (Sec. 3.607)	N	N	N	N	Y	Y	Y	N	N	SI	SI	N	N	N	N	N	3.22
Accessory dwelling units (Sec. 3.616)	S2	S2	S2	S2	N	N	N	N	N	N	N	N	N	N	N	N	3.23
Multifamily dwellings (Sec. 3.618)	N	N	N	N	N	Y1	Y1	Y	Y1	Y1	Y1	Y1	N	N	N	N	3.24
Rooming houses	Y	Y	Y	Y	Y	Y1	Y1	Y	N	Y1	Y1	Y1	N	N	N	N	3.25
Lodging houses (Sec. 3.639)	N	N	N	N	N	SI	SI	N	N	SI	SI	SI	N	N	N	N	3.26
Hotels/motels (Sec. 3.617)	N	N	N	N	SI	SI	N	N	N	SI	SI	SI	SI	SI	SI	SI	3.27
Family day-care homes (Sec. 3.609)	Y	Y	Y	Y	Y	Y	Y	Y	Y	SI	SI	SI	SI	SI	SI	SI	3.28
Medical offices in residences	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	3.29
Customary home occupations (Sec. 3.611)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	3.210
Accessory uses/residential (Sec. 4.22)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	3.211
Garage, private	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3.212
Trailer/mobile home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3.213
Institutional																	
Churches	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3.214
Educational uses	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3.215
Municipal buildings	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3.216
Cemeteries	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	3.217
Hospitals, sanitariums, nursing homes, philanthropic institutions (Sec. 3.610)	SI	SI	SI	SI	SI	SI	SI	(3.811)	(3.811)	SI	SI	SI	SI	N	N	N	3.218

KEY:  
Y = Permitted use as of right  
N = Not permitted  
Y1 = Permitted by right and additional intensity of use permitted by special permit from the City Council  
SI = Use permitted only by special permit by City Council  
S2 = Use permitted only by special permit by Board of Appeals

# CITY OF WALTHAM

Sec. 3.4. Table of Uses.

Use With Special Permit Reference	RA-1	RA-2	RA-3	RA-4	RB	RC	RD	HR1	HR2	BA	BB	BC(D)	LC	C	I	C/R	Use Reference
Assisted living facilities	N	N	S1	S1	S1	S1	S1	Y1	Y1	S1	S1	N	N	N	N	N	3.218A
Cat steller	S1	S1	S1	S1	S1	S1	S1	N	N	S1	S1	S1	Y	Y	Y	N	3.218B
Public service corporations (Sec. 3.614)	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	N	S2	S2	N	3.219
Membership clubs (Sec. 3.608)	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1	Y1	Y1	N	Y1	Y1	S1	3.220
Garages, public	N	N	N	N	N	N	N	Y	Y	Y1	Y1	Y1	Y1	Y1	Y1	N	3.221
Commercial								(3.811)	(3.811)								
Retail stores (Sec. 3.634)	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	Y1	Y1	N	3.222, 3.27
Body art establishments (Sec. 3.222A)	N	N	N	N	N	N	N	N	N	N	S1	S1	N	S1	S1	N	2.347
Laundromats	N	N	N	N	N	N	N	N	N	N	Y1	Y1	N	Y1	Y1	N	3.223
Business and professional offices and banks	N	N	N	N	N	N	N	Y	S1	Y1	Y1	Y1	N	Y1	Y1	N	3.224
Organ procurement organization	N	N	N	N	N	N	N	(3.811)	(3.811)	N	N	Y1	Y1	Y1	Y1	N	3.224A
Drive-in customer service (Sec. 3.635)	N	N	N	N	N	N	N	N	N	S1	S1	S1	S1	Y	N	N	3.225
Arcades	N	N	N	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	3.226
Retail gasoline stations (Sec. 3.634)	N	N	N	N	N	N	N	N	N	Y1	Y1	N	N	Y1	Y1	N	3.227
Restaurants	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	Y1	Y1	N	3.228
Retail bakery	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	Y1	Y1	N	3.228C
Delicatessen	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	Y1	Y1	N	3.228D
Fast-food establishments (Sec. 3.620)	N	N	N	N	N	N	N	N	N	S1	S1	N	N	S1	S1	N	3.229
Taverns	N	N	N	N	N	N	N	N	N	N	N	N	N	Y1	Y1	N	3.230
Micro-brewery restaurant	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	S1	N	3.228A
Catering establishments	N	N	N	N	N	N	N	N	N	N	Y1	Y1	N	Y1	Y1	N	3.231
Funeral homes	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	Y1	Y1	N	3.232
Private schools	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	N	Y1	Y1	N	3.233
Radio and television broadcasting studios	N	N	N	N	N	N	N	N	N	N	Y1	Y1	N	Y1	Y1	N	3.234
Radio, television, microwave, communication, radar or other tower (Sec. 3.621)	N	N	N	N	N	N	N	N	N	N	N	Y1	Y1	Y1	Y1	N	3.234

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# ZONING CODE

Sec. 3.4. Table of Uses.

Use With Special Permit Reference	RA-1	RA-2	RA-3	RA-4	RB	RC	RD	HRI	HR2	BA	BB	BC(1)	LC	C	I	C/R	Use Reference
Indoor theaters	N	N	N	N	N	N	N	N	N	N	N	SI	SI	SI	SI	N	3.235
Newspaper publishing and printing	N	N	N	N	N	N	N	N	N	N	YI	YI	N	YI	YI	N	3.236
Car wash (Sec. 3.622)	N	N	N	N	N	N	N	N	N	N	SI	N	N	SI	SI	N	3.237
Wholesale, storage and warehousing	N	N	N	N	N	N	N	N	N	N	YI	N	N	YI	YI	N	3.238
Off-street parking (Sections 3.601 through 3.605)	Y	Y	Y	Y	SI	SI	SI	Y	Y	Y	Y	Y	Y	Y	Y	N	3.239
Used car lot (Sec. 3.632)	N	N	N	N	N	N	N	(3.811)	(3.811)	N	SI	N	N	SI	SI	N	3.240
Associated commercial recreation (Sec. 3.636)	N	N	N	N	N	N	N	N	N	SI	SI	SI	SI	SI	SI	N	3.267
Accessory uses/commercial	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	3.241
Tea shop	N	N	N	N	N	N	N	(3.811)	(3.811)	N	N	YI	YI			N	3.228B
Animal shelter (Sec. 3.643)	N	N	N	N	N	N	N	N	N	N	N	N	SI	SI	SI	N	3.226D
Kennel (Sec. 3.644)	N	N	N	N	N	N	N	N	N	N	N	N	SI	SI	SI	N	3.226E
Medical marijuana treatment center (Sec. 11.210)	N	N	N	N	N	N	N	N	N	N	N	N	N	SI	SI	N	Use Reference Article XI
Medical marijuana cultivation (Sec. 11.28)	SI	SI	SI	SI	SI	SI	SI	SI	SI	SI	SI	SI	SI	SI	SI	SI	Use Reference Article XI
Electronic game center	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	3.226G
Marijuana establishments (nonmedical marijuana)	N	N	N	N	N	N	N	N	N	N	N	N	N	SI	SI	N	
Commercial marijuana cultivation (nonmedical marijuana)	N	N	N	N	N	N	N	N	N	N	N	N	N	SI	SI	N	
Smoke shop (Sec. 3.647)	N	N	N	N	N	N	N	N	N	SI	SI	SI	N	SI	SI	N	3.222B
Industrial																	
Accessory off-street parking	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	3.242
Railroad and transit station	Y	Y	Y	Y	Y	Y	Y	(3.811)	(3.811)	Y	Y	Y	Y	Y	Y	N	3.243
Windmills	Y	Y	Y	Y	Y	Y	Y	Y	Y	YI	YI	N	N	YI	YI	N	3.244
Electric lighting, gas works and power stations	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	3.245
Fuel oil and gas storage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	3.246

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# CITY OF WALTHAM

Sec. 3.4. Table of Uses.

Use With Special Permit Reference (Sec. 3.628)	RA-1	RA-2	RA-3	RA-4	RB	RC	RD	HR1	HR2	BA	BB	BCD	LC	C	I	C/R	Use Reference
Heavy trucking and equipment storage (Sec. 3.628)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.247
Open storage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3.248
Truck or private bus terminals	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.249
Light manufacturing (Sec. 3.623)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.250
Research labs, structures and accessory uses	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.251
General manufacture	N	N	N	N	N	N	N	(3.811)	(3.811)	N	N	N	N	S1	S1	N	3.252
Autobody shop (Sec. 3.626)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.253
Plastics manufacturing (Sec. 3.629)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	N	3.254
Steam laundry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	N	3.255
Fuelports-airports (Sec. 3.627)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.256
Junkyards (Sec. 3.633)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.257
Garbage dumps and sanitary landfills	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	N	3.258
Composting facility (3.640)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.258
Yard waste transfer station (3.641)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.258
Organic products storage (3.642)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.258
Automobile recycling center	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.258
Accessory uses/manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.259
Adult entertainment enterprises (Sec. 2.303A)	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	N	3.260
Agriculture																	3.261
Farms	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3.261
Livestock farms under 5 acres (Sec. 3.612)	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	S2	N	3.262
Livestock farms over 5 acres	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	3.262
Farm stands	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	3.263
Conservation/Recreation area	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	3.264
Public outdoor recreation facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	3.265
Semipublic outdoor recreation facility (Sec. 3.630)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S1	3.266

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# ZONING CODE

Sec. 3.4. Table of Uses.

Use With Special Permit Reference	RA-1	RA-2	RA-3	RA-4	RB	RC	RD	HR1	HR2	DA	DB	BC(U)	LC	C	I	C/R	Use Reference
Conservation/Recreation																	
Nonprofit sports/recreational clubs with grounds for games and sports	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	S1	Y1	3.220A
Commercial recreational facilities, outdoor	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	S1	Y1	3.226B
Commercial recreational facilities, indoor (Sec. 3.608A)	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	S1	S1	3.226A
Commercial conservation/nature facilities	N	N	N	N	N	N	N	N	N	N	N	N	S1	S1	S1	S1	3.226C
Small athletic and fitness facilities, indoor	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	Use Reference 3.226F

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## NOTES:

(1) Residential uses shall only be allowed in the BC District on upper floors (floors two through five) unless development occurs as part of a Riverfront Overlay District special permit (See Section 8.4.) or as part of an intensity of use special permit, provided that in no case shall any first-floor residential unit or portion thereof be located on or within 50 feet of the street line of any of the following streets: Elm Street, Main Street, Moody Street. In the BC District, residential uses shall have separate and distinct entrances from any and all commercial uses, and intensity of use special permit, provided that in no case shall any first-floor residential unit or portion thereof be located on or within 50 feet of the street line of any of the following streets: Elm Street, Main Street, Moody Street. Multiple residential and/or nonresidential principal buildings may be allowed in the BC District on the same lot when development occurs as part of an intensity of use special permit, provided that all other provisions of Section 4.215 shall be complied with. Further, in instances of new residential construction, excluding rehabilitation or remodeling of existing structures, said residential uses shall be permitted to abut other structures of any type on only one side, and all other sides shall be at least 25 feet from all other structures.

# ZONING CODE

## Z Attachment 5

### City of Waltham

#### Sec. 4.11. Table of Dimensional Regulations

(See Section 4.12 for footnotes)

[Amended 8-4-1997 by Ord. No. 28403; 3-3-1999 by Ord. No. 28735; 6-26-2000 by Ord. No. 29025; 5-28-2002 by Ord. No. 29513; 12-23-2002 by Ord. No. 29628; 6-13-2005 by Ord. No. 30180; 6-26-2006 by Ord. No. 30450; 6-24-2013 by Ord. No. 31971; 12-10-2018 by Ord. No. 34279; 12-10-2018 by Ord. No. 34282]

District	Minimum Building Setback(s) (23)(24)(25)			Maximum Building Height (18) (21) (23) (24) (26) (feet)	Maximum Stories (23) (24) (26)	YAR by Right (17)	YAR by Special Permit (17)(22) (23)(24)	Maximum Lot Coverage (percent) (2) (23)(24)	Minimum Open Space (percent) (9), (17)	Lot Area (square feet)	Maximum Dwelling Units per acre (12)	Lot Frontage (feet) (10)	Minimum Lot Area Per Dwelling Unit (square feet)	Minimum Open Space per Dwelling Unit (square feet)	Minimum Lot Width (feet)
	Front (feet)	Side (feet)	Rear (feet)												
RA-1	40	20	40	35	2.5	—	—	20	—	20,000	—	100	—	—	—
RA-2	40	20	40	35(11)	2.5	—	—	20	—	15,000	—	80	—	—	—
RA-3	25	15	30	35(11)	2.5	—	—	25	—	9,600	—	70	—	—	—
Assisted living facilities	40	40	40	35	3	—	—	—	—	40,000	—	100	1,000	500	100
RA-4	25	15	30	35	2.5	—	—	25	—	7,000	—	60	—	—	—
Assisted living facilities	40	40	40	35	3	—	—	—	—	40,000	—	100	1,000	500	100
RB	15	10	30	40	3.0	—	—	30	—	—	—	60	—	—	—
Single-family Two-family	—	—	—	—	—	—	—	—	—	6,000	—	—	—	—	—
Assisted living facilities	40	40	40	35	3	—	—	—	—	6,000	—	—	—	—	—
RC	10	10(3)	20(4)	40	3.0	20	.60	30	15	40,000	—	100	1,000	500	100
Single-family Two-family	—	—	—	—	—	—	—	—	—	6,000	—	50	—	—	—
Assisted living facilities	—	—	—	—	—	—	—	—	—	6,000	—	—	—	—	—
RD	75	45	60	50	4.0	.20	.80	30	15	5 acres	6	50	—	—	—
HR1	10	10	20	74	6	1.8	—	75	—	10,000	59	50	—	—	—
Except assisted living	40	40	40	74	6	1.0	1.5	—	—	40,000	—	100	1,000	500	100
HR2	10	10	20	74	6	1.0	1.25	75	—	10,000	40	50	—	—	—
Except us to multifamily and assisted living	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

# CITY OF WALTHAM

Sec. 4.11. Table of Dimensional Regulations  
(See Section 4.12 for footnotes)

Minimum Building Setback(s) (23)(24)	Minimum Building			Maximum Building Height (18) (21) (23) (24) (feet)	Maximum Stories (23) (24)	FAR by Right (17)	FAR by Special Permit (17)(22) (23)(24)	Maximum Lot Coverage (percent) (2)(23)(24)	Minimum Open Space (percent) (9), (17)	Lot Area (square feet)	Maximum Dwelling Units per acre (12)	Lot Frontage (feet) (10)	Minimum Lot Area Per Dwelling Unit (square feet)	Minimum Open Space per Dwelling Unit (square feet)	Minimum Lot Width (feet)
	Front (feet)	Side (feet)	Rear (feet)												
District Multifamily	10	10	20	74	6	0.01	1.25	75	—	10,000	3	50	1,000	50	100
Assisted living	40	40	40	74	6	0.5	1.25	—	—	40,000	—	100	—	—	—
HRI	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Single-family detached	25	15	30	35(11)	2.5	—	—	25	—	9,600	—	70	—	—	—
BA	10	0	15	36	3	.50(16)	1.0	0	—	0	—	50	—	—	—
Res uses	10	10	20	36	3	.20	.80	30	15	6,000	6	50	—	—	—
Assisted living facilities	40	40	40	35	3	—	—	—	—	40,000	—	100	1,000	500	100
BB	0	0	25	48	4	.50(16)	2.5	0	—	0	—	50	—	—	—
Res uses	10	10	20	40	4	.25	1.0	35	15	6,000	10	50	—	—	—
Assisted living facilities	40	40	40	35	3	—	—	—	—	40,000	—	100	1,000	500	100
BC	0	0(13)	25	65	5	1.0	2.5	90	—	—	30	40	—	—	—
LC	150(5)	100(5)	100(5)	40	3.0	.25	.60	30	25(6)	—	—	40	—	—	—
C	10(7)	15(7)	25(7)	80	8	.4(16)	2.0	—	—	5 acres	—	400	—	—	—
I	10(8)	15(8)	25(8)	80	8	.4(16)	2.0	—	—	10,000	—	50	—	—	—
C/R	100	100	100	20	1	0.05	0.10	5	10	4 acres	0	100	—	—	—
Detached garage	As required by district	3	3	—(1)	1	—	—	0	—	0	—	50	—	—	—
Accessory building	As required by district	5	5	—(1)	1	—	—	0	—	0	—	0	—	—	—
Swimming pool (19)	As required by district	10	10	—	—	—	0	—	0	—	—	0	—	—	—